hepatitis C virus consisting of 6-22 amino acids from one of SEQ ID NOs: 12-16; (2) optionally, an immunologically inactive spacer region coupled to the immunologically active sequence; and (3) a marker group which is (a) coupled to the spacer region and permits the detection of the bound antibody; and

(b) detecting the marker bound to the bound antibody, thereby detecting any binding between the antibody and both of the peptides P1 and P2, to determine the presence or absence of the antibody in said sample liquid.

REMARKS

Claims 29-49 are pending in this application. Claims 29-44, 48, and 49 have been allowed. Claims 45-47 remain rejected. Claim 45 has been amended in this Response.

The Advisory Action dated December 17, 2001 stated that the previous amendments to Claim 45 did not overcome the Examiner's concerns and they were not entered. It is Applicant's belief that the rejections revolve around the use of the phrase "wherein the isolated immunologically active amino acid sequences of P1 and P2 are immunologically equivalent" in Claim 45. Accordingly, Applicant has removed this language from the claim and submits that the claim is now in a condition for allowance.

Additionally, Applicant has reiterated the remaining amendment made in the prior amendment and requests that they be entered as well.

In the event this paper is not timely filed, Applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit

Account No. 01-2300, referring to client-matter number 100564-09016 along with any other fees which may be due with respect to this paper.

Respectfully submitted,

D. Daniel Dzara, II
Registration No. 47,543

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

Enclosures: Marked Up Copy of Claims

MARKED UP COPY OF CLAIMS

45. (Twice Amended) 45. A method of detecting the presence or absence of an antibody against hepatitis C virus in a sample liquid, the method comprising the following steps:

(a) incubating said sample liquid which may contain an antibody against hepatitis C virus with two peptides P1 and P2, wherein the peptide P1 consists of (1) an isolated immunologically active amino acid sequence from the hepatitis C virus consisting of 6-22 amino acids from one of SEQ ID NOs: 12-16; (2) an immunologically inactive spacer region coupled to the immunologically active sequence; and (3) a solid phase binding group which permits an antibody bound to the immunologically active amino acid sequence to be separated from the sample liquid; and the peptide P2 consists of (1) an isolated immunologically active amino acid sequence from the hepatitis C virus consisting of 6-22 amino acids from one of SEQ ID NOs: 12-16; (2) optionally, an immunologically inactive spacer region coupled to the immunologically active sequence; and (3) a marker group which is (a) coupled to the spacer region and [(b) distinct from the solid phase binding group of P1] permits detection of the bound antibody[, wherein the isolated immunologically active amino acid sequences of P1 and P2 are immunologically equivalent]; and

(b) detecting the marker bound to the bound antibody, thereby detecting any binding between the antibody and both of the peptides P1 and P2, [thereby detecting] to determine the presence or absence of the antibody in said sample liquid.